

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

**KENNETH WAYNE PULLEN, JR.,
ADC #656328**

PLAINTIFF

VS. 3:13CV00162 BRW/JTR

**SAMMIE JOHNSON, Nurse,
Greene County Detention Center, *et al.***

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Partial Disposition submitted by United States Magistrate Judge J. Thomas Ray and the filed objections. After carefully considering these documents and making a *de novo* review of the record in this case, the Court concludes that the Proposed Findings and Recommended Partial Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED that:

1. Plaintiff's due process claim is DISMISSED, WITHOUT PREJUDICE, for failing to state a claim upon which relief may be granted.
2. Plaintiff may PROCEED with his inadequate medical care claim against Defendants Johnson, Cagle, and Cawley.
3. The Clerk is directed to prepare a summons for Defendants Johnson, Cagle, and Cawley. The U.S. Marshal is directed to serve the summons, Complaint, Amended Complaint, and this Order on them without prepayment of fees and costs or security therefor.¹

¹ If any of the Defendants are no longer Greene County employees, the individual responding to service must file the unserved Defendant's last known private mailing address **under seal**.

4. The Court CERTIFIES, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order would not be taken in good faith.

Dated this 25th day of September, 2013.

/s/Billy Roy Wilson
UNITED STATES DISTRICT JUDGE